

IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF ARKANSAS  
EL DORADO DIVISION

THEOTIS HILDEBRAND

PLAINTIFF

v.

Case No. 1:19-cv-1004

OFFICER MARLIN BROWN

DEFENDANT

**ORDER**

Before the Court is the Report and Recommendation filed September 24, 2019, by the Honorable Barry A. Bryant, United States Magistrate Judge for the Western District of Arkansas. (ECF No. 27). Judge Bryant recommends that this action be dismissed because Plaintiff has repeatedly failed to provide an accurate address for service on Defendant.<sup>1</sup>

Plaintiff has filed objections to the Report and Recommendation. However, Plaintiff states that he is objecting solely to preserve potential issues for appeal. Plaintiff concedes that he is unable to provide an accurate address for service on Defendant and admits that this action should be dismissed until he acquires such information. Therefore, the Court adopts the Report and Recommendation (ECF No. 27) *in toto*. Accordingly, this action is hereby **DISMISSED WITHOUT PREDJUDICE**.

**IT IS SO ORDERED**, this 7th day of October, 2019.

/s/ Susan O. Hickey  
Susan O. Hickey  
Chief United States District Judge

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<sup>1</sup> There have been four unsuccessful attempts to serve Defendant over the course of five months.